

Message Text

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70

ORIGIN COME-00

INFO OCT-01 EUR-25 IO-14 ISO-00 EB-11 STR-08 TRSE-00 L-03

DODE-00 NSAE-00 RSC-01 AEC-11 CIAE-00 AGR-20 CEA-02

FRB-02 H-03 INR-10 INT-08 LAB-06 NSC-10 PA-04 AID-20

CIEP-02 SS-20 TAR-02 USIA-15 PRS-01 SPC-03 OMB-01

ACDA-19 MC-02 /224 R

DRAFTED BY COMM:BAMARCH

APPROVED BY EB/ A HOLMES

EUR/RPE:RCMEIMA

STR:AWOLFF

STR:DWHITNACK

EB/TA:WADAMS

TREASURY:HMCFAADDEN

L/EB:DFBURNS

----- 060260

R 072216Z NOV 73

FM SECSTATE WASHDC

TO USMISSION EC BRUSSELS

INFO USMISSION GENEVA

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: ETRD, EEC

SUBJECTS: EC TARIFF RECLASSIFICATION - SEMI-CONDUCTORS

REFS: A. ROHR/JOHNSTON LETTER OF OCTOBER 1

B. EC BRUSSELS 4981

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C. STATE 158563

1. MISSION REQUESTED TO MAKE NEW DEMARCHE TO EC COMMISSION ON DISCREPANCY IN GATT SCHEDULE XL RESULTING FROM 1972 RECLASSIFICATION OF CERTAIN SEMI-CONDUCTOR ELEMENTS IN CXT.

2. IN ANSWER TO MISSION'S REQUEST FOR ADDITIONAL JUSTIFICATION (REF B), DEPARTMENT'S OFFICE OF THE LEGAL ADVISER HAS PREPARED A MEMORANDUM FOR SUBMISSION TO THE COMMISSION THAT PRESENTS IN DETAIL THE LEGAL ARGUMENTATION UPON WHICH THE US CASE FOR RECLASSIFICATION IS BASED. OPINION EXPRESSED BY D. BURNS (L/EB) IS THAT US HAS STRONG CASE ON BASIS OF KNOWN FACTS, AND THAT NO FURTHER DOCUMENTARY EVIDENCE NEEDS TO BE PRODUCED TO SUBSTANTIATE OUR CLAIM IN ABSENCE OF EC EVIDENCE TENDING TO DISPROVE FACTS AS STATED IN MEMORANDUM. MISSION SHOULD NOTE THAT MEMORANDUM PUTS FORWARD AS ACCEPTABLE SOLUTIONS OUR PREVIOUS REQUEST FOR CREATION OF NEW SUBHEADING UNDER CXT 85.21 (REF C), OR REVISION OF PRESENT SUBHEADINGS OF 85.21 SO THAT DISCS AND WAFERS WOULD AGAIN PROPERLY BE CLASSIFIED UNDER SUBITEM NO. 85.21E AT CONCESSIONARY

RATE OF 9 PERCENT.

3. MISSION SHOULD NOTE TO COMMISSION OFFICIALS THAT SATISFACTORY SOLUTION OF THIS ISSUE AT THIS TIME WOULD HELP ATMOSPHERE OF US-EC TRADE RELATIONS.

4. MEMORANDUM DISCUSSED ABOVE AND DRAFT NOTE POUCHED NOVEMBER 8.

5. IF, AFTER DELIVERING MEMORANDUM, IT WOULD SEEM USEFUL FOR WASHINGTON OFFICER FAMILAR WITH CASE TO MEET WITH EC REPRESENTATIVES, MISSION SHOULD SO ADVISE. RUSH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CUSTOMS DUTIES, SEMICONDUCTOR DEVICES, TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 07 NOV 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: BAMARCH
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Executive Order: N/A
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Comment: n/a
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Review Exemptions: n/a
Review History: RELEASED <29-Aug-2001 by rowellE0>; APPROVED <06-Nov-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

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